

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

TIERA ROWSEY-HARRIS,

Defendant.

8:17CR262

ORDER

This matter is before the Court on Defendant's MOTION FOR LEAVE OF COURT TO FILE PRETRIAL MOTIONS OUT OF TIME [65]. The Court notes that a jury trial as to this defendant is set for October 30, 2017, before District Judge John M. Gerrard. However, at the hearing held on October 5, 2017, Defendant waived her right to speedy trial on the record, and requested that trial of this matter be continued with the granting of this motion. For good cause shown, I find that the motion should be granted. Defendant will be given an approximate thirty (30) day extension. Leave is given to file pretrial motions on or before November 3, 2017. Accordingly,

IT IS ORDERED:

1. Defendant's MOTION TO EXTEND PRETRIAL MOTION DEADLINE [19] is granted. Pretrial motions shall be filed on or before November 3, 2017.
2. Defendant's jury trial scheduled for October 30, 2017, is cancelled, and shall be rescheduled upon the expiration of the November 3, 2017, pretrial motion filing deadline.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between October 4, 2017, and November 3, 2017, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 5th day of October, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge